

# UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Feb 05, 2019**

SEAN F. MCAVOY, CLERK

U.S.A. vs.

Benka, Eric Alexander

Docket No.

2:18CR00170-WFN-1

## Petition for Action on Conditions of Pretrial Release

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Eric Alexander Benka, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge John T. Rodgers sitting in the court at Spokane, Washington, on the 4th day of October 2018, under the following conditions:

**Standard Condition #9:** Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

**Violation #6:** Eric Alexander Benka is alleged to have admitted to ingesting methamphetamine and heroin on or about February 1, 2019.

On October 5, 2018, the conditions of pretrial release supervision were reviewed with Mr. Benka. He acknowledged an understanding of his conditions, which included standard condition number 9.

On February 1, 2019, Mr. Benka reported to Pioneer Human Services and provided a urine sample that tested presumptive positive for the presence of methamphetamine and morphine. Mr. Benka signed a substance abuse admission form confirming he used the aforementioned illegal controlled substances on or about February 1, 2019.

On February 4, 2019, the undersigned officer contacted Mr. Benka telephonically and confronted him on his use of illegal controlled substances. Mr. Benka admitted to the undersigned officer that he injected heroin and methamphetamine on February 1, 2019.

PRAYING THAT THE COURT WILL INCORPORATE THE ABOVE VIOLATION WITH VIOLATIONS  
PREVIOUSLY REPORTED TO THE COURT

I declare under the penalty of perjury  
that the foregoing is true and correct.

Executed on: February 5, 2019

by s/Erik Carlson

Erik Carlson  
U.S. Pretrial Services Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



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Signature of Judicial Officer

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February 5, 2019

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Date